



Doc Code:

PTO/SB/21 (09-04)
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/546,966	
	Filing Date	4/11/2000	
	First Named Inventor	David T. Pollock	
	Art Unit	3731	
	Examiner Name	Vy Q. Bui	
Total Number of Pages in This Submission	3	Attorney Docket Number	ENDOS-51639 (GES-0012)

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Postcard; Letter
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<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	CUSTOMER NO. 24201	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	FULWIDER PATTON LLP		
Signature			
Printed name	John V. Hanley		
Date	9/18/2006	Reg. No.	38,171

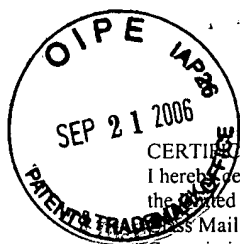
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Typed or printed name	John V. Hanley	Date	9/18/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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John V. Hanley, Reg. No. 38,171

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the application of

Inventor: David T. Pollock, et al.

Serial No. 09/546,966

Filed: April 11, 2000

For: SINGLE-PIECE THICK-WALLED
ENDOPROSTHESIS

Date: September 18, 2006

Examiner: Vy Q. Bui

Group Art Unit: 3731

Client ID/Matter No. ENDOS-51639

LETTER

MS: Appeal Brief Patents
Commissioner for Patents
P. O. Box 1450
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Dear Sir:

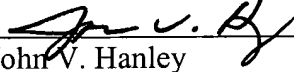
This paper is responsive to the Office communication dated September 11, 2006 which indicated that the Reply Brief recently submitted by the Applicants in connection with the above-referenced matter would not be considered because it was not filed within two months of the March 23, 2006 mailing date of the Examiner's Answer.

It is respectfully submitted, however, that the subject Reply Brief was indeed timely filed and should be considered by the Examiner. Significantly, the Reply Brief was filed under 37 CFR § 1.8 which provides that correspondence required to be file in the U.S. Patent and Trademark Office within a set period of time will be considered as being timely filed if the correspondence is properly addressed and mailed prior to expiration of the set period of time.

Accordingly, it is respectfully requested that a written action be issued to clearly indicate that the Reply Brief is being considered by the Examiner.

Respectfully submitted,

FULWIDER PATTON LLP

By: 
John V. Hanley
Registration No. 38,171

JVH/kst
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201
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